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Attorneys for Defendants
CITY OF SALINAS, CAMERON MURPHY,
MARK LAZZARINI, WILLIAM YETTER, and JEFF ARENSDORF

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

		Case No. 15-CV-05937-RS
JIHAN SHAWAR THISSEL, TONY LEE)	
MATHEWS JR., SIDNEY THISSEL and)	STIPULATION AND PROPOSED
JAMIE FRASIER and DOES 1-5)	ORDER EXTENDING THE
)	DEADLINE FOR PARTIES TO
Plaintiffs,)	PARTICIPATE IN EARLY
)	NEUTRAL EVALUATION
vs.)	
)	
CAMERON MURPHY, an INDIVIDUAL and)	
OFFICER, MARK LAZZARINI, an)	
INDIVIDUAL and OFFICER, WILLIAM)	
YETTER, an INDIVIDUAL and OFFICER,)	
JEFF ARENSDORF, an INDIVIDUAL, KELLY)	
MCMILLIN in his OFFICIAL CAPACITY, the)	
SALINAS POLICE DEPARTMENT, the CITY)	
OF SALINAS and DOES 1-25,)	
)	
Defendants.)	
)	

1 WHEREAS, on March 9, 2016, on the stipulation of the parties, Honorable Judge Ronald
2 M. Whyte ordered that Early Neutral Evaluation be completed in the above-captioned matter
3 within 90 days from the date of the March 9, 2016 Order (Dkt. 18); and,

4 WHEREAS, given the Court's March 9, 2016 Order (Dkt. 18), the deadline for the Early
5 Neutral Evaluation to be completed was calculated to be June 7, 2016; and,

6 WHEREAS, on June 2, 2016, on stipulation of the parties, Honorable Ronald M. Whyte
7 ordered the Early Neutral Evaluation date be extended to July 8, 2016 (Dkt. 34); and,

8 WHEREAS, on August 5, 2016, on stipulation of the parties, Honorable Ronald M.
9 Whyte ordered the Early Neutral Evaluation date be extended to September 27, 2016 (Dkt. 37); and,

10 WHEREAS, on September 26, 2016, on stipulation of the parties, Honorable Ronald M.
11 Whyte ordered the Early Neutral Evaluation date be extended to December 9, 2016 (Dkt. 44); and,

12 WHEREAS, on November 30, 2016, the Monterey County District Attorney's Office
13 subpoenaed Defendant Officer CAMERON MURPHY to testify on December 9, 2016 at
14 9:30 a.m. in a preliminary hearing for a homicide in Monterey County Superior Court (see
15 **Exhibit A**), and the Monterey County District Attorney's Office advised counsel for Defendants
16 that the hearing is a date certain, and that it is unlikely that it will be rescheduled; and,

17 WHEREAS, on December 5, 2016, Defendant Sergeant MARK LAZZARINI informed
18 counsel for Defendants that the back injury for which he is currently on disability recently flared
19 up, and that he is in significant pain and cannot move around without assistance; and,

20 WHEREAS, on December 5, 2016, after being informed of the circumstances regarding
21 Officer Murphy's and Sergeant Lazzarini's inability to physically attend the ENE set for
22 December 9, 2016, Evaluator Randolph W. Hall informed counsel for Plaintiffs, Wendy Chau,
23 and counsel for Defendants, Ryan Thompson, that the physical attendance of both Officer
24 Murphy and Sergeant Lazzarini is critical to the success of the ENE; and,

25 WHEREAS, Ms. Chau and Mr. Thompson are in agreement with Mr. Hall that the
26 physical attendance of both Officer Murphy and Sergeant Lazzarini is critical to the success of
27 the ENE; and,
28

1 WHEREAS, Mr. Hall, Ms. Chau, and Mr. Thompson are mutually agreeable to
2 participating in the ENE session on a date mutually-agreeable to the parties and the assigned
3 evaluator, on or prior to February 28, 2017;

4 IT IS STIPULATED by the parties that the deadline to complete Early Neutral Evaluation
5 be extended to February 28, 2017.

6
7 Dated: December 5, 2016

LAW OFFICES OF WENDY CHAU

8 By: /s/ WENDY CHAU
9 Attorneys for Plaintiffs JIHAN SHAWAR THISSEL,
10 TONY LEE MATHEWS JR., SIDNEY THISSEL and
JAMIE FRASIER

11 Dated: December 5, 2016

LAW OFFICES OF VINCENT P. HURLEY
A Professional Corporation

12 By: /s/ RYAN THOMPSON
13 Attorneys for Defendants CITY OF SALINAS,
14 CAMERON MURPHY, MARK LAZZARINI,
WILLIAM YETTER and JEFF ARENSDORF

15
16
17
18
19 ~~[PROPOSED]~~ ORDER

20 PURSUANT TO STIPULATION, IT IS SO ORDERED that the deadline for completion
21 of Early Neutral Evaluation in this matter be extended to February 28, 2017.

22
23 Dated: 12/8/16

24 By: 
25 HON. JUDGE RICHARD SEEBORG
26
27
28

EXHIBIT A



SUPERIOR COURTS OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF MONTEREY, CRIMINAL DIVISION

PEOPLE OF THE STATE OF CALIFORNIA

PLAINTIFF,

VS.

DEFENDANT,

SUBPOENA – CRIMINAL
COURT: **SALINAS COURTHOUSE**
COURT CASE NO.: **SS161898A**
REPORT NO.: [REDACTED]
HEARING: **Preliminary Hearing**

PO Cameron Murphy
Salinas Police Department
222 Lincoln Ave,
Salinas, CA 94001

You are commanded to appear before a Judge of the aforementioned Court in and for the County of Monterey, State of California on **December 09, 2016 at 9:30 AM**

A FAILURE TO COMPLY WITH THIS SUBPOENA IS PUNISHABLE AS CONTEMPT OF COURT.
Please call the District Attorney's Office at (831)755-5070, Monday through Friday, 8:00 am to 5:00 p.m., upon receipt of this subpoena.

TIMES AND DATES ARE SUBJECT TO CHANGE. PLEASE CALL PRIOR TO COMING TO COURT.
PLEASE REPORT TO THE DISTRICT ATTORNEY'S OFFICE AT 230 CHURCH STREET, SALINAS CA, MODULAR #3. FOR ASSISTANCE WITH YOUR APPEARANCE ON THE DATE AND TIME STATED ABOVE.

DEAN D. FLIPPO
DISTRICT ATTORNEY

BY: SCOTT EDWARD DONAHUE
Deputy District Attorney
SD/ 11/30/2016